

REMARKS

The Examiner is thanked for his Office Action. The failure to timely respond was unintentional.

Claims 1-44 are pending in the present application. All claims were rejected. Claims 24 and 25 were amended to depend from claim 23, as suggested by the Examiner, and the §112 rejection is therefore believed to be obviated. Claim 22 was amended to correct a typographic error, and claim 23 was amended to remove two redundant clauses that appeared in that claim in error.

Claims 1, 3, 5-6, 8-23, 25, 27-28, and 30-44, are rejected under 35 U.S.C. 103(a) as being unpatentable over Egner *et al.* (USP 6,223,041, hereinafter "Egner") in view of Park, *et al.* (USP 5,912,884, hereinafter "Park"). Claims 2,4,7, 24, 26, and 29 were rejected as obvious over Egner in view of Park and Gunmar *et al.* (USP 5,293,640, hereinafter "Gunmar").

All rejections are traversed, as described below.

First, several specific claimed features, not taught or suggested by any cited art, are listed. Not all distinctions are listed, as the following are sufficient to traverse the obviousness rejections of these claims.

Claims 3 and 25 require "the data from the fixed wireless loop network includes data from a service area plot." Neither Egner nor Park, nor any other cited art, teach or suggest a service area plot, or that data from it it is received from the wireless network. The Office Action cites nearly the entire disclosure of Park for this rejection, but Applicant has been unable to identify any such teaching. The Examiner is respectfully requested to

identify specifically where this teaching can be found. This distinction applies to claims 4-8 and 26-30 as well.

Claims 14 and 36 require “applying re-assignment criteria to the re-assignable remote unit to determine whether the re-assignable remote unit can be re-assigned to the substitute station.” Neither Egner nor Park, nor any other cited art, teach or suggest a re-assignment criteria, nor that it is used as claimed. The Office Action cites nearly the entire disclosure of Park for this rejection, but Applicant has been unable to identify any such teaching. The Examiner is respectfully requested to identify specifically where this teaching can be found. This distinction applies to claims 15-21 and 37-43 as well.

Claims 3 and 25 require creating service area plot which accounts for remote units re-assigned from one station to a substitute station.” Neither Egner nor Park, nor any other cited art, teach or suggest a service area plot, or that data from it it is received from the wireless network. The Office Action cites nearly the entire disclosure of Park for this rejection, but Applicant has been unable to identify any such teaching. The Examiner is respectfully requested to identify specifically where this teaching can be found. By way of contrast, the instant application, on page 16, clear describes optionally creating and storing a corrected service area plot.

In addition to these and other specific claim distinctions, the Office Action fails to identify any motivation in the cited art to modify or combine the references to reproduce the claimed invention. Egner and Park describe completely different means of addressing wireless resource allocation – Egner by re-allocating channels to reduce interference, and Park by increasing forward power to an under-capacity cell to expand its service region –

and nothing in either reference suggests that a combination of these techniques would be advantageous or even operable. The stated motivation, "to avoid blocking calls in the system", is one that is arguably addressed by EITHER Egner or Park, but there is no teaching or suggestion that their disclosures or techniques can be combined.

Absent any proper motivation to combine these references, the obviousness rejection to independent claims 1 and 23, and all of their respective dependent claims, is overcome.

All rejections are traversed.

SUMMARY

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *manderson@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

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Matthew S. Anderson
Registration No. 39,093

P.O. Box 802432
Dallas, Texas 75380
(972) 628-3600 (main number)
(972) 628-3616 (fax)
E-mail: *manderson@davismunck.com*